

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Charles D. Alexander,

NO. C 06-00046 JW

Plaintiff,

**ORDER TO SHOW CAUSE  
RE: SETTLEMENT**

v.

County of Santa Clara,

Defendant.

On May 12, 2006, Defendant's counsel Mark Bernal informed the Court that the above-entitled matter has reached a settlement. In light of the settlement, the Court vacates all trial and pretrial dates, including the case management conference currently scheduled for Monday, May 15, 2006. On or before June 2, 2006, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on June 26, 2006 at 9:00 a.m. and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before June 2, 2006, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: May 12, 2006

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/s/ James Ware

JAMES WARE

United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Mark F. Bernal [mark.bernal@cco.sccgov.org](mailto:mark.bernal@cco.sccgov.org)

3 David A. Rosenfeld  
4 Weinberg Roger & Rosenfeld  
5 1001 Marina Village Parkway, Suite 200  
6 Alameda, CA 94501

7 **Dated: May 12, 2006**

**Richard W. Wieking, Clerk**

8 **By: /s/ JW Chambers**  
9 **Melissa Peralta**  
10 **Courtroom Deputy**